

**UNITED STATES DISTRICT COURT  
DISTRICT OF MAINE**

**UNITED STATES OF AMERICA**

**v**

**ERIC MERCADO  
STEVEN HARDY**

)  
)  
)  
)  
)  
)

**Criminal No. 2:19-cr-149-JDL**

**GOVERNMENT’S VERSION OF THE OFFENSE**

Had the case proceeded to trial, the Government would produce evidence that would establish beyond a reasonable doubt that from approximately May 10 and May 11, 2019, Eric Mercado and Steven Hardy conspired with each other and other persons in a scheme to rob an individual (hereinafter “Victim”) who was engaged in the business of distributing marijuana. In addition, the evidence would establish beyond a reasonable doubt that Eric Mercado and Steven Hardy each discharged a firearm during the attempted robbery.

The evidence would include electronic location evidence, text messages, eyewitness and law enforcement testimony, and forensic evidence from the crime scene. The evidence would establish the following facts:

Victim was familiar with Nathaniel Rivera through his marijuana distribution business. On May 10, 2019, Rivera called Victim and told Victim he was with two girls who wanted to come over and party. Rivera and two females later showed up at Victim’s residence. All four individuals consumed alcohol and socialized at Victim’s.

Prior to going to Victim’s house, Rivera, Mercado, and Hardy had made a plan in which Rivera and the girls would act as a ruse to get access into Victim’s house and then unlock the door to allow Mercado and Hardy to enter the house and rob the victim of drugs and drug proceeds. Mercado, Hardy, Rivera, and the girls travelled from Massachusetts to York, Maine on the evening of May 10, 2019.

As planned, Rivera at one point unlocked an entry door to Victim's residence. Rivera then texted Mercado and Hardy who were waiting outside the residence that the door was unlocked. Mercado and Hardy soon thereafter entered the house through that door. Mercado was carrying a shotgun and Hardy was carrying a handgun. Mercado and Hardy attempted to rob the victim but he resisted. Hardy and Mercado discharged their weapons inside the house. Victim was able to flee the house and escape by running down the driveway. Rivera and the two females left in the vehicle in which they arrived. Mercado and Hardy stole the victim's truck and fled.

Dated February 24, 2020

Halsey B. Frank  
United States Attorney

/s/Daniel J. Perry  
Daniel J. Perry  
Assistant United States Attorney  
United States Attorney's Office  
100 Middle Street, East Tower, 6<sup>th</sup> Floor  
Portland, ME 04101  
(207) 780-3257

**UNITED STATES DISTRICT COURT  
DISTRICT OF MAINE**

**CERTIFICATE OF SERVICE**

I hereby certify that on February 24, 2020, I emailed the foregoing Government's  
Version of the Offense to:

Robert Levine, Esq.  
John Webb, Esq.

Halsey B. Frank  
United States Attorney

/s/Daniel J. Perry  
Assistant United States Attorney